

AGENDA
House Judiciary Committee
April 20, 2021

The House Judiciary Committee will meet on **Tuesday, April 20, 2021, one hour upon adjournment of the House in Room 516** of the Blatt Building, Columbia, South Carolina. *The Judiciary committee staff has attempted to contact the interested parties of all bills listed on the agenda for this meeting.*

FAMILY AND PROBATE LAW SUBCOMMITTEE

Pending Subcommittee Report

[S. 229](#) -- Senators Shealy, McLeod, Hutto, Jackson, McElveen and Matthews: A BILL TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT"; TO AMEND CHAPTER 11, TITLE 63 OF THE 1976 CODE, RELATING TO CHILDREN'S SERVICES AGENCIES, BY ADDING ARTICLE 24, TO REQUIRE THAT MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310(B)(1) , (C), AND (D) OF THE 1976 CODE, RELATING TO CHILDREN'S ADVOCACY CENTERS, TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

Favorable with Amendment

[H. 3209](#) -- Reps. Bernstein, Collins, Murphy, Felder, Cobb-Hunter and Henegan: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "SOUTH CAROLINA CHILD ABUSE RESPONSE PROTOCOL ACT" BY ADDING ARTICLE 24 TO CHAPTER 11, TITLE 63 SO AS TO REQUIRE MULTIDISCIPLINARY TEAMS INVOLVED IN CHILD ABUSE INVESTIGATION AND PROSECUTION TO FOLLOW CERTAIN CHILD ABUSE RESPONSE PROTOCOL, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COMMITTEE TO REVIEW AND UPDATE THE PROTOCOL, AND FOR OTHER PURPOSES; AND TO AMEND SECTION 63-11-310, RELATING TO CHILDREN'S ADVOCACY CENTERS, SO AS TO REQUIRE CHILDREN'S ADVOCACY CENTERS TO HOLD CERTAIN ACCREDITATION STATUS OR BE ACTIVELY PURSUING ACCREDITATION, AND FOR OTHER PURPOSES.

Favorable

[H. 4019](#) -- Reps. Crawford, Erickson, Bernstein, Fry, Burns, Haddon, Oremus, Long, Chumley, Magnuson, Jones, Bennett, Huggins, G.R. Smith, McCravy, V.S. Moss, Bannister, Collins and Trantham: A BILL TO AMEND SECTION 63-7-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE PLACEMENT OF INFANTS AT DESIGNATED LOCATIONS WITHOUT CRIMINAL LIABILITY, SO AS TO ALLOW THE PLACEMENT OF AN INFANT NOT MORE THAN ONE YEAR OLD AT A SAFE HAVEN AND TO CHANGE THE DEFINITION OF "INFANT".

CRIMINAL LAWS SUBCOMMITTEE

Favorable

[H. 3927](#) -- Reps. Stavrinakis and Murphy: A BILL TO AMEND SECTION 22-3-545, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TRANSFER OF CERTAIN CRIMINAL CASES FROM GENERAL SESSIONS COURT, SO AS TO PROVIDE THAT CRIMINAL CASES IN WHICH THE PENALTY DOES NOT EXCEED THREE YEARS, RATHER THAN ONE YEAR, MAY BE TRANSFERRED FROM GENERAL SESSIONS COURT.

Favorable

[H. 3124](#) -- Reps. J.E. Johnson and W. Newton: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY REPEALING SECTION 1-7-730 RELATING TO THE EXAMINATION OF THE OFFICES OF COUNTY OFFICERS.

Favorable

[H. 3623](#) -- Reps. Murphy, Stavrinakis, Kimmons, Hart, Rutherford, Lucas, Dillard, Erickson, Hyde, W. Newton, Thigpen and Wheeler: A BILL TO AMEND SECTION 24-13-150, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE EARLY RELEASE OF AN INMATE, SO AS TO REDUCE THE PERCENTAGE OF TIME AN INMATE WHO HAS COMMITTED A "NO PAROLE OFFENSE" MUST SERVE BEFORE HE MAY BECOME ELIGIBLE FOR EARLY RELEASE, DISCHARGE, OR COMMUNITY SUPERVISION FROM EIGHTY-FIVE PERCENT TO SIXTY-FIVE PERCENT FOR CERTAIN DRUG OFFENSES, AND TO PROVIDE THIS REDUCTION APPLIES TO INMATES CURRENTLY INCARCERATED UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 44-53-370, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES; AND TO AMEND SECTION 44-53-375, RELATING TO THE UNLAWFUL POSSESSION, MANUFACTURE, AND TRAFFICKING OF METHAMPHETAMINE, COCAINE BASE, OR OTHER CONTROLLED SUBSTANCES, SO AS TO REVISE THE PENALTIES AND WEIGHT PRESUMPTIONS, AND ELIMINATE MANDATORY MINIMUM SENTENCES.

Favorable

[H. 3369](#) -- Reps. Weeks, Fry, Huggins, Dillard, Hewitt, Pendarvis, Trantham, Alexander, Pope and Hosey: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTIONS 17-5-135 AND 17-5-250 SO AS TO REQUIRE, AMONG OTHERS, CORONERS AND MEDICAL EXAMINERS TO COMPLETE CONTINUING EDUCATION ON THE IDENTIFICATION OF DEATHS CAUSED BY OPIATES.

Favorable

[H. 3050](#) -- Reps. D.C. Moss, McGarry, Wooten and Hixon: A BILL TO AMEND SECTION 23-23-40, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE CERTIFICATION OF A LAW ENFORCEMENT OFFICER EMPLOYED OR APPOINTED BY A PUBLIC LAW ENFORCEMENT AGENCY, SO AS TO PROVIDE A NONCERTIFIED LAW ENFORCEMENT OFFICER ONLY SHALL PERFORM HIS DUTIES AS A LAW ENFORCEMENT OFFICER WHILE ACCOMPANIED BY A CERTIFIED LAW ENFORCEMENT OFFICER, AND TO MAKE A TECHNICAL CHANGE.

Favorable with Amendment

[H. 4075](#) -- Reps. Wetmore and Stavrinakis: TO AMEND SECTION 23-3-430, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE SEX OFFENDER REGISTRY, SO AS TO CONFORM THE REGISTRATION PROVISIONS FOR SECOND DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR TO THIRD DEGREE CRIMINAL SEXUAL CONDUCT WITH A MINOR. (AMENDMENT TO THE REGISTRY)

CONSTITUTIONAL LAWS SUBCOMMITTEE

Favorable

[H. 3205](#) -- Reps. Taylor, Lucas, Pope, Elliott, Allison, Hiott, Fry, J.E. Johnson, Jordan, Caskey, B. Newton, Bryant, G.M. Smith, G.R. Smith, Willis, Huggins, Blackwell, Erickson, Forrest, Hixon, Herbkersman, Thayer, Wooten, Morgan, Daning, Hardee, B. Cox, Bannister, Hewitt, Felder, Stringer, Davis, Calhoon, Oremus, Bennett, Gilliam, West, Haddon, Trantham, Lowe, McGarry, M.M. Smith, Bustos, V.S. Moss, W. Newton, May, Martin, Brittain, McGinnis, Bradley, Ballentine, Dabney, Carter and T. Moore: A JOINT RESOLUTION TO MAKE APPLICATION TO THE CONGRESS OF THE UNITED STATES TO CALL A CONVENTION FOR PROPOSING AMENDMENTS PURSUANT TO ARTICLE V OF THE UNITED STATES CONSTITUTION LIMITED TO PROPOSING AMENDMENTS THAT IMPOSE FISCAL RESTRAINTS ON THE FEDERAL GOVERNMENT, LIMIT THE POWER AND JURISDICTION OF THE FEDERAL GOVERNMENT, AND LIMIT THE TERMS OF OFFICE FOR ITS OFFICIALS AND FOR MEMBERS OF CONGRESS; TO PROVIDE CERTAIN RESERVATIONS, UNDERSTANDINGS, AND DECLARATIONS LIMITING THE APPLICATION; AND TO PROVIDE CERTAIN SELECTION CRITERIA FOR COMMISSIONERS AS WELL AS LIMITATIONS UPON THEIR AUTHORITY.

SPECIAL LAWS SUBCOMMITTEE

Favorable with Amendment

[S. 147](#) -- Senators Massey, Rice, Hembree, Adams, Peeler, Turner, Alexander, Gustafson, Talley, Loftis, Climer, Kimbrell, Grooms, Bennett, Corbin and Martin: A JOINT RESOLUTION TO ENACT THE "SOUTH CAROLINA COVID-19 LIABILITY IMMUNITY ACT"; TO PROVIDE LIABILITY PROTECTIONS FOR A LIMITED TIME PERIOD FOR HEALTH CARE PROVIDERS AND BUSINESSES THAT FOLLOW PUBLIC HEALTH GUIDANCE IN RESPONSE TO THE CORONAVIRUS PUBLIC HEALTH EMERGENCY; TO STATE THE LIABILITY PROTECTION FOR COVERED ENTITIES AND COVERED INDIVIDUALS FOR CORONAVIRUS CLAIMS; TO PROVIDE THAT DEFENSES ARE CUMULATIVE; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE SEVERABLE; TO PROVIDE THAT, IN THE CASE OF A CONFLICT OF LAW BETWEEN THIS JOINT RESOLUTION AND ANY OTHER LAW OF THIS STATE, THE PROVISIONS OF THIS JOINT RESOLUTION SHALL PREVAIL; TO PROVIDE THAT THE PROVISIONS OF THIS JOINT RESOLUTION ARE RETROACTIVE AND EFFECTIVE AS OF MARCH 13, 2020; AND TO DEFINE NECESSARY TERMS.

Favorable with Amendment

[H. 3180](#) -- Reps. G.R. Smith, Thigpen, Wooten, Fry, V.S. Moss, Trantham, Oremus, Huggins, McGarry, Bennett, Burns, Haddon and Wetmore: TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, TO ENACT THE "VULNERABLE ADULT MALTREATMENT REGISTRY ACT" BY ADDING ARTICLE 6 TO CHAPTER 35, TITLE 43 SO AS TO REQUIRE THE SOUTH CAROLINA LAW ENFORCEMENT DIVISION, THE SOUTH CAROLINA DEPARTMENT OF SOCIAL SERVICES, AND THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL TO DETERMINE WHETHER CERTAIN REPORTS OF VULNERABLE ADULT ABUSE, NEGLECT, OR EXPLOITATION ARE INDICATED AND WHETHER THERE IS A KNOWN PERPETRATOR OF THE MALTREATMENT AND TO ESTABLISH A RIGHT OF ADMINISTRATIVE APPEAL AND JUDICIAL REVIEW; TO PROVIDE FOR THE PLACEMENT OF CERTAIN PERSONS DETERMINED TO HAVE ABUSED, NEGLECTED, OR EXPLOITED A VULNERABLE ADULT ON THE MALTREATMENT REGISTRY; TO PROVIDE FOR LIMITED ACCESS TO THE VULNERABLE ADULT MALTREATMENT REGISTRY; AND TO PROHIBIT THE RELEASE OF REPORTS OF VULNERABLE ADULT MALTREATMENT, WITH EXCEPTIONS, AND TO CREATE A CRIMINAL PENALTY FOR THE UNAUTHORIZED RELEASE OF INFORMATION; TO AMEND SECTION 43-35-10, RELATING TO TERMS DEFINED IN THE "OMNIBUS ADULT PROTECTION ACT", SO AS TO ADD DEFINITIONAL TERMS AND CHANGE THE DEFINITION OF "INVESTIGATIVE ENTITY"; TO AMEND SECTIONS 43-35-15 AND 43-35-40, RELATING TO RESPONSIBILITIES OF CERTAIN INVESTIGATIVE ENTITIES TO INVESTIGATE REPORTS OF VULNERABLE ADULT MALTREATMENT, SECTION 43-35-45, RELATING TO VULNERABLE ADULT PROTECTION HEARINGS, AND SECTION 43-35-85, RELATING TO PENALTIES FOR COMMITTING VULNERABLE ADULT MALTREATMENT, SO AS TO MAKE CONFORMING CHANGES.

Favorable

[H. 3939](#) -- Reps. Pope, Hyde, McCravy, McGarry and Bryant: TO AMEND SECTION 42-1-160, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE DEFINITIONS OF "INJURY" AND "PERSONAL INJURY" IN WORKERS' COMPENSATION, SO AS TO EXEMPT INJURIES SUSTAINED BY LAW ENFORCEMENT IN THE LINE OF DUTY FROM CERTAIN LIMITATIONS ON CLAIMS FOR INJURY CAUSED BY STRESS, MENTAL INJURY, OR MENTAL ILLNESS.

ELECTION LAWS

Favorable

[H. 4187](#) -- Reps. W. Cox, Hill, West, Gagnon, Thayer and White: A BILL TO AMEND SECTION 6-11-273, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO TAX LEVY REFERENDUMS, SO AS TO PROVIDE THAT REFERENDUMS CONDUCTED PURSUANT TO THIS SECTION MUST BE SCHEDULED TO BE HELD AT THE SAME TIME AS THE GENERAL ELECTION.